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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/662,656

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Ronald S. Barchi

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AT&T Legal Department - Moazzam

Attn: Patent Docketing

Room 2A-207

One AT&T Way

Bedminster, NJ 07921

EXAMINER

TRAN, ELLEN C

ART UNIT

PAPER NUMBER

2433

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/662,656	Applicant(s) BARCHI ET AL.	
	Examiner ELLEN TRAN	Art Unit 2433	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. This action is responsive to communication filed on: 11 February 2009 with acknowledgement of an original application filed on 15 September 2003.
2. Claims 2-13, are pending; claims 2, 7, and 9 are independent claims. Claims 2, 7, and 9 have been amended. Amendments to the claims are accepted.

Response to Arguments

3. Applicant's arguments filed 11 February 2009 have been fully considered however they are moot due to new grounds of rejection below necessitated by Applicant's amendment to all the independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 2-13**, are rejected under 35 U.S.C. 103(a) as being unpatentable Ekberg. U.S. Patent No. 7,003,282 (hereinafter '282) in view of Satyavolue et al. US Patent No. 7,225,464 (hereinafter '464).

As to independent claim 2, "A device comprising: logic which, when applied to the processor, results in locating a subscriber information corresponding to an IP address;

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locating a subscriber information corresponding to the identifier” is taught in '282 col. 2, lines 17-34 and col. 6, lines 2-16;

“authenticating a subscriber for access to a first requested service based upon receiving a code from a terminal device at the time a request for the requested service is made” is shown in '282 col. 6, line 17 through col. 7, line 43;

the following is not explicitly taught in '282: **“the code indicating that a unique username and password will not be provided by the terminal device”** however '464 teaches the use of a code (i.e. UNS token) provided so that the user will not need to provide username and password in col. 6, lines 54-63;

“and authenticating the subscriber for access to a second requested service based upon receiving the code and the IP address from the first requested service” however '464 teaches the IP address assigned to the user is utilized for subsequent authentication in col. 2, lines 40-53 and col. 4, lines 16-28.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of '282 a system and method for authentication in mobile communication that utilizes the GSM network subscriber identification unit (SIM) to include a means to more explicitly explain that a user being required to enter a username and password for every service is not required. One in the art would have been motivated to perform such a modification because of the large number of possible usernames and passwords that a user may need to remember while internet browsing can be problematic (see '464 col. 1, lines 25 et seq.)

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As to dependent claim 3, “further comprising: logic which, when applied to the processor, results in communication of the code and IP address to a service provider” is disclosed in ‘464 col. 2, lines 40-53 and col. 4, lines 16-28.

As to dependent claim 4, “further comprising: logic which, when applied to the processor, results in forming an account name from the identifier” is taught in ‘464 col. 2, lines 40-53.

As to dependent claim 5, “wherein the identifier is an MSISDN” is taught in ‘282 col. 2, lines 17-34 and col. 6, lines 2-16.

As to dependent claim 6, “further comprising: logic which, when applied to the processor, results in querying a RADIUS server to locate the subscriber identifier corresponding to the IP address” is shown in ‘464 col. 3, line 67 through col. 4, line 30.

As to independent claim 7, the claim is directed to a terminal device incorporating the same limitations as claim 2; therefore it is rejected along similar rationale.

As to dependent claim 8, “further comprising: client logic associated with a service provider, which, when applied to the processor to access the service provider, results in communicating the code and IP address to the network in lieu of communicating a user name and password” is shown in ‘464 col. 6, lines 54-63.

As to independent claim 9, “A method comprising: receiving authentication information from a terminal device during an initial sign-on; authenticating the terminal device; receiving a code from the terminal device at the time of a request for a first requested service” is shown in ‘282 col. 6, line 17 through col. 7, line 43;

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“locating subscriber information corresponding to the identifier; authorizing the terminal device to access the first requested service based on the code and the authentication information” is taught in '282 col. 2, lines 17-34 and col. 6, lines 2-16;

the following is not explicitly taught in '282: **“that indicates that a user name and password will not be provided by the terminal device”** however '464 teaches the use of a code (i.e. UNS token) provided so that the user will not need to provide username and password in col. 6, lines 54-63;

“sending the code and authentication information from the first requested service to a second requested service and authorizing the terminal device to access the second requested service based upon the code and the authentication information sent from the first requested service” however '464 teaches the IP address assigned to the user is utilized for subsequent authentication in col. 2, lines 40-53 and col. 4, lines 16-28.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of '282 a system and method for authentication in mobile communication that utilizes the GSM network subscriber identification unit (SIM) to include a means to more explicitly explain that a user being required to enter a username and password for every service is not required. One in the art would have been motivated to perform such a modification because of the large number of possible usernames and passwords that a user may need to remember while internet browsing can be problematic (see '464 col. 1, lines 25 et seq.)

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As to dependent claim 10, “further comprising: communicating the code and IP address to at least one service provider to obtain authorization for the services of the at least one service provider” however ‘935 teaches providing access to a service in col. 6, lines 43-67.

As to dependent claim 11, “further comprising: forming from the identifier an account name for the subscriber” is disclosed in ‘464 col. 2, lines 40-53 and col. 4, lines 16-28.

As to dependent claim 12, “wherein the identifier is an MSISDN” is taught in ‘282 col. 2, lines 17-34 and col. 6, lines 2-16.

As to dependent claim 13, “further comprising: querying a RADIUS server to locate the MSISDN corresponding to the IP address” is shown in ‘282 col. 6, lines 11-32.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. It is noted, PATENTS ARE RELEVANT AS PRIOR ART FOR ALL THEY CONTAIN “The use of patents as references is not limited to what the patentees describe as their own inventions or to the problems with which they are concerned. They are part of the literature of the art, relevant for all they contain.” In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)). A reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill the art, including nonpreferred embodiments (see MPEP 2123).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Nasser Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/ELLEN TRAN/
Primary Examiner, Art Unit 2433
14 May 2009